



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 2, 2025

United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

<p>IN RE:</p> <p>MCCLAIN FEED YARD, INC., MCCLAIN FARMS, INC., AND 7M CATTLE FEEDERS, INC.,</p> <p><i>Debtors.</i>¹</p>	<p>Chapter 7</p> <p>CASE NO. 23-20084-swe</p> <p>Jointly Administered</p>
<p>KENT RIES, CHAPTER 7 TRUSTEE FOR THE BANKRUPTCY ESTATES OF MCCLAIN FEED YARD, INC., MCCLAIN FARMS, INC., AND 7M CATTLE FEEDERS, INC.,</p> <p><i>Plaintiff,</i></p> <p>v.</p> <p>COMMUNITY FINANCIAL SERVICES BANK; HTLF BANK; MECHANICS BANK; and RABO AGRIFINANCE, LLC,</p> <p><i>Defendants.</i></p>	<p>ADV. PROC. NO. 25-02005-swe</p> <p>Honorable Scott. W. Everett</p>

¹ The Debtors in these chapter 7 cases are: McClain Feed Yard, Inc. (Case No. 23-20084-swe), McClain Farms, Inc. (Case No. 23-20085-swe), and 7M Cattle Feeders, Inc. (Case No. 23-20086-swe).

**ORDER CONSOLIDATING
ADVERSARY PROCEEDING NO. 25-02005 INTO ADVERSARY PROCEEDING 24-02007**

At the July 17, 2025, hearing on the Trustee’s Motion to Intervene [ECF No. 140], during which the Court allowed the Trustee to intervene [ECF No. 201], the Court raised the possibility of consolidating this proceeding with the Trustee’s separate proceeding, then-pending as adversary number 25-02005 (the “**Trustee’s Lawsuit**”). Following the hearing, at the Court’s request, the Trustee electronically filed a *Notice of Joint Status Conference* in this case [ECF No. 199] and in proceeding no. 25-02005 [*see* ECF No. 68] (the “**Notice**”). The Notice explained there would be a “joint status conference” in both proceedings on July 28, 2025, specifically “to discuss: . . . 2. Potential consolidation of [the] adversary proceeding[s]” *Id.*

The Court has the authority under Rule 42(a) to consolidate cases *sua sponte*. *Lester v. Exxon Mobil Corp.*, 879 F.3d 582, 592 (5th Cir. 2018). When determining whether to consolidate cases, the Court considers whether the cases involve (1) the same court and (2) common parties, as well as (3) the risk of prejudice or confusion from consolidation; (4) risk of inconsistent rulings if cases remain separate; (5) efficiency; and (6) whether the cases are at the same stage of preparation. *See id.*

At the July 28, 2025, status conference, counsel for all four defendants in the Trustee’s lawsuit, Community Financial Services Bank (“**CFSB**”), HTLF Bank (“**HTLF**”), Mechanics Bank (“**Mechanics**”), and Rabo AgriFinance, LLC (“**Rabo**”), counsel for the Trustee, and counsel for the majority of plaintiffs and intervenors in this proceeding appeared; no counsel notified the Court of their unavailability prior to the hearing. Only one party, CFSB, opposed consolidating the two proceedings. Based upon the arguments of counsel and prior record in this case, the Court found that sufficient grounds exist to support consolidation.²

It is **THEREFORE ORDERED** that the Trustee’s Lawsuit, Adversary No. 25-02005-swe, is hereby consolidated into Adversary No. 24-02007-swe.

² The Court incorporates its findings and other statements from the hearing as if set forth fully herein.

Adversary No. 24-02007-swe.

proceeding shall read as appears below on this Order:

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

In re:

McClain Feed Yard, Inc., et al.,

Debtors.

Case No. 23-20084-swe7
Jointly Administered

In re:

2B Farms, a Texas General Partnership, et al.,

Debtors.

Case No. 23-50096-swe12
Jointly Administered

AgTexas Farm Credit Services, AgTexas,
PCA, Thorlakson Diamond T Feeders, LP,

Plaintiffs, and

Edward Dufurrena, et al.,

Intervenor-Plaintiffs,

v.

Rabo AgriFinance, LLC, et al.,

Defendants.

Adversary No. 24-02007-swe
Consolidated Adversary Proceeding

Kent Ries, Chapter 7 Trustee for the
Bankruptcy Estates of McClain Feed Yard, Inc.,
McClain Farms, Inc., and 7M Cattle Feeders,
Inc.,

Plaintiff,

v.

Community Financial Services Bank; HTLF
Bank, Mechanics Bank, and Rabo AgriFinance,
LLC,

Defendants.

Adversary No. 24-02007-swe
Consolidated Adversary Proceeding

HTLF Bank, as successor to First Bank &
Trust,

Plaintiff, Counter-Defendant, and
Cross-Claim Defendant,

v.

2B Farms, a Texas General Partnership,
Terry M. Robinson, and Rebecca A.
Robinson,

Defendants, Counterclaim-
Plaintiffs, Third-Party Plaintiffs
and Third-Party Counterclaim
Defendants,

Adversary No. 24-02007-swe
Consolidated Adversary Proceeding

v.

Rabo AgriFinance, LLC and Mechanics
Bank,

Third-Party Defendants and, as to
Rabo AgriFinance LLC only, Third-
Party Counterclaim Plaintiff and
Cross-Claim Plaintiff.

HTLF Bank, as successor to First Bank &
Trust,

Plaintiff and Counter-Defendant,

v.

2B Farms, a Texas General Partnership,
Terry M. Robinson, and Angela Robinson,

Defendants and Counter-Plaintiffs.

End of Order

Agreed as to form:

BY: /s/ David L. LeBas (with permission)

David L. LeBas

State Bar No. 12098600

Michael S. Duncan

State Bar No. 24097628

NAMAN HOWELL SMITH & LEE, PLLC

8310 N. Capital of Texas Hwy., Suite 490

Austin, Texas 78731

Telephone: (512) 479-0300

Fax: (512) 474-1901

Email: dlebas@namanhowell.com

Email: mduncan@namanhowell.com

Attorneys for Thorlakson Diamond T Feeders, LP, AgTexas Farm Credit Services and AgTexas PCA

BY: /s/ Amber S. Miller (with permission)

Amber S. Miller

State Bar No. 24050320

CRENSHAW, DUPREE & MILAM, L.L.P.

P.O. Box 1499

Lubbock, Texas 79408-1499

Telephone: (806) 762-5281

Fax: (806) 762-3510

Email: amiller@cdmlaw.com

Attorneys for Ridgefield Capital Group, Drew Phillips, Carraway Cattle, Robert Ellis, Barry Phillips, Big Seven Capital Partners, Richard Carraway

BY: /s/ Timothy T. Pridmore (with permission)

Timothy T. Pridmore

State Bar No. 00788224

Todd Johnston

State Bar No. 24050837

McWHORTER COBB & JOHNSON, LLP

PO Box 2547

Lubbock, Texas 79408

Telephone: (806) 762-0214

Fax: (806) 762-8014

Email: tpridmore@mcjllp.com

Email: tjohnston@mcjllp.com

Attorneys for 2B Farms, a Texas General Partnership, Terry M. Robinson, Rebecca A. Robinson and Non-Debtor, Angela Robinson

BY: /s/ Buffey Klein (with permission)

Richard A. Illmer

State Bar No. 10388350

Buffey Klein

State Bar No. 24032515

HUSCH BLACKWELL, LLP

1900 N. Pearl Street, Suite 1800 Dallas, Texas 75201

Telephone: (214) 999-6100

Fax: (214) 999-6700

Email: rick.illmer@huschblackwell.com

Email: buffey.klein@huschblackwell.com

Attorneys for Mechanics Bank

BY: /s/ John Massouh (with permission)

John Massouh

State Bar No. 24026866

SPROUSE SHRADER SMITH PLLC

701 S. Taylor, Suite 500

P.O. Box 15008

Amarillo, Texas 79105-5008

Telephone: (806) 468-3300

Fax: (806) 373-3454

Email: john.massouh@sprouselaw.com

– and –

Abel Leal

State Bar No. 24026989

The Leal Law Firm, LLC

14180 N. Dallas Parkway, Suite 300

Dallas, Texas 75254

Telephone: (214) 395-5325

Fax: (806) 364-2526

Email: abel@leal.law

Attorneys For Dennis Buss, Buss Family Trust, Eddie Bryant, Robert E. Gray, Ronnie Gray, Gray Brothers, Craig Sutton, Amy Sutton, Steve Ryan, Janice Lawhon, AJ Jacques Living Trust, Gungoll Cattle, LLC, Leah Gungoll, Morrison Café, LLC, Gary Lesh, Jan Lesh, Lesh Family Trust, Jared Lesh, Jordan Lesh, LLC, Joel Brookshire, Gene Brookshire Family, LP, Douglas Finley, Scarlet And Black Cattle, LLC, Bryan Blackman, Steve T Scott Farm, Inc., Scott Livestock Company, Inc., Arnold Braun Trust, Robert Braun, Jim Rininger, Robert Spring, Michael Evans, Miranda Evans, Charles Lockwood, Cole Lockwood, Sherle Lockwood, Nikki Lockwood, Lyndal Van Buskirk, Janet Van Buskirk, Colby Van Buskirk, Susan Van Buskirk, Jimmy Greer, Dustin Johnson and Dora Blackman

BY: /s/ James D. Bradbury (with permission)

James D. Bradbury
State Bar No. 02814500
Kyle K. Weldon
State Bar No. 24097192
JAMES D. BRADBURY, PLLC
201 Main Street, Suite 600
Fort Worth, Texas 76102
Telephone: 817-339-1105
Fax: 817-886-3495
Email: jim@bradburycounsel.com
Email: kyle@bradburycounsel.com

Attorneys for Priest Cattle Company, Ltd, Priest Victory Investment LLC, W. Robbie Russell Living Trust, and Eddie Stewart

BY: /s/ John H. Lovell (with permission)

John H. Lovell
State Bar No. 12609300
LOVELL, ISERN & FARABOUGH, LLP
112 SW 8th Ave., Suite 1000
Amarillo, Texas 79101
Telephone: (806) 373-1515
Email: john@lovell-law.net

Attorneys for HTLF Bank, as successor to First Bank & Trust

BY: /s/ Michael R. Johnson (with permission)

Michael R. Johnson (admitted *pro hac vice*)
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
Salt Lake City, Utah 84111
Telephone: (801) 532-1500
Fax: (801) 532-7543
Email: mjohnson@rqn.com

Attorneys for Rabo AgriFinance LLC

BY: /s/ Matthew S. Muckleroy (with permission)

Matthew S. Muckleroy
State Bar No. 24066796
CRAWFORD, WISHNEW & LANG PLLC
1700 Pacific Avenue, Suite 2390
Dallas, Texas 75201
Telephone: (214) 817-4500
Fax (214) 602-6551
Email: mmuckleroy@cwl.law

Attorney for Shawn Ragland

BY: /s/ Aaron Kaufman (with permission)

Aaron Kaufman
State Bar No. 24060067
GRAY REED LLP
1601 Elm St., Ste. 4600
Dallas, TX 75201
Telephone: (469) 320-6050
Email: akaufman@grayreed.com

– and –

Keith Larson (admitted *pro hac vice*)
Morgan Pottinger McGarvey
401 S. Fourth St., Ste. 1200
Louisville, KY 40202
Telephone: (502) 560-6758
Email: kjl@mpmfirm.com

Attorneys for Community Financial Services Bank

BY: /s/ Hudson M. Jobe

Hudson M. Jobe

State Bar No. 24041189

JOBE LAW PLLC

6060 North Central Expressway, Suite 500

Dallas, Texas 75206

Telephone: (214) 807-0563

Email: hjobe@jobelawpllc.com

– and –

Alan Dabdoub

State Bar No. 24056836

adabdoub@lynnllp.com

LYNN PINKER HURST & SCHWEGMANN LLP

2100 Ross Avenue, Suite 2700

Dallas, Texas 75201

Telephone: 214-981-3800

Fax: 214-981-3839

Email: adabdoub@lynnllp.com

SPECIAL COUNSEL TO THE TRUSTEE